



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 13-99

To authorize the expropriation of certain lands to accommodate the redevelopment of the Heritage Theatre

Paragraph 58 of section 207 of the Municipal Act, R.S.O. 1990, c.M.45, as amended, authorizes councils of all municipalities to pass by-laws for acquiring, erecting, altering and maintaining, inter alia, places of recreation and amusement, arenas and auditoriums;

Section 191 of the Municipal Act authorizes the council of every corporation for acquiring or expropriating any land required for the purposes of the corporation;

The Corporation of the City of Brampton is the owner of the Heritage Theatre auditorium located at 86 Main Street North, Brampton;

The Council of the Corporation of the City of Brampton has determined that it is appropriate and in the interests of the corporation to redevelop the Heritage Theatre auditorium and has determined that additional land will be necessary to accommodate the redevelopment.

NOW THEREFORE The Council of The Corporation of the City of Brampton **ENACTS AS FOLLOWS:**

1. Council hereby authorizes the commencement of all procedures required by the Expropriations Act to effect the expropriation of the lands and premises described in Schedule A hereto, for the purpose of providing land to accommodate the redevelopment of the Heritage Theatre, along with ancillary and temporary commercial uses.
2. The City Clerk is hereby authorized to execute on behalf of The Corporation of the City of Brampton as expropriating authority, all notices, applications for approval, advertisements and other documents required by the Expropriations Act, R.S.O. 1990, c.E.26, in order to effect the expropriation of the said lands.

READ a FIRST, SECOND and THIRD TIME and PASSED in Open Council this 25th day of January, 1999.

Approved as to
form & content

WCC
01/21/99


PETER ROBERTSON MAYOR


LEONARD J. MIKULICH CLERK

SCHEDULE A to By-law 13-99

FIRSTLY:

City of Brampton, Regional Municipality of Peel.

Part of Lot 46, East of Hurontario Street and North of Queen Street, Plan BR-2, as in Instrument No. VS364893, more particularly described as follows:

PREMISING that the northwestern limit of California Street has a bearing of North 45 degrees 22 minutes 20 seconds East shown on a plan of subdivision filed in the said Registry Office as Number 541, and relating all bearings herein thereto;

COMMENCING at the southwest angle of the said Lot 46;

THENCE North 45 degrees 22 minutes East along the northwestern limit of California Street 115.75 feet to an iron bar planted;

THENCE North 44 degrees 15 minutes 20 seconds West to 25.75 feet to the intersection thereof with the Northeasterly production of the outer face of the Northwesterly wall of the building standing on the said lands;

THENCE South 45 degrees 39 minutes 30 seconds West to and along said outer face of wall 61.87 feet up to a point therein;

THENCE South 45 degrees 02 minutes 30 seconds West continuing along said face of wall 53.88 feet to the intersection thereof with the northeastern limit of Hurontario Street.

THENCE South 44 degrees 15 minutes 20 seconds East long the herein before last mentioned limit 26.50 feet more or less to the point of commencement, together with all right, title and interest in and to,

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Brampton, in the Regional Municipality of Peel, formerly in the Town of Brampton, in the County of Peel, and being composed of part of Lot 46 as shown on a plan of subdivision of Part of Lot 6, Concession 1, East of Hurontario Street by J.S. Dennis P.L.S. dated July 1850 filed in the Land Registry Office for the Registry Division of Peel and referred to as BR-2 more particularly described as follows:

PREMISING that the northwestern limit of California Street has a bearing of North 45 degrees 22 minutes 20 seconds East shown on a plan of subdivision filed in the said Registry Office as number 541, and relating all bearings herein thereof;

COMMENCING at a point in the northwestern limit of California Street, distant 115.75 feet measured northeasterly thereon from the southwesterly angle thereof;

THENCE North 44 degrees 15 minutes 20 seconds West 25.75 feet to an iron bar planted;

THENCE North 45 degrees 22 minutes 20 seconds East 12.00 feet to an iron bar planted;

THENCE South 44 degrees 15 minutes 20 seconds East 25.75 feet to a point in the northwestern limit of California Street;

SCHEDULE A to By-law 13-99 (Cont.)

THENCE South 45 degrees 22 minutes 20 seconds West along the last mentioned limit 12.00 feet more or less to the point of commencement.

PIN No. 14124-0015(LT).

SECONDLY:

City of Brampton, Regional Municipality of Peel.
Part of Lot 46, East of Hurontario Street and North of Queen Street, Plan BR-2, as in Instrument No. RO909787, more particularly described as follows:

COMMENCING at a point in the Easterly limit of Main Street where the same is intersected by the Northerly face of the Northerly wall of the Holliss building standing on the hereindescribed parcel, said point being distant 2 feet 3 ½ inches measured Southerly along the said limit of the street from the most Westerly angle of the said Lot 46;

THENCE Southerly along the said limit of street, 24 feet, more or less, to where the same is intersected by the common line defining the Southerly face of the Southerly wall of the said Holliss building and the Northerly face of the Northerly wall of an adjacent building formerly known as the "Loblaw" block;

THENCE Easterly along the last said line and its Easterly production, 116 feet, more or less, to an iron bar planted in the westerly limit of a 12 foot right of way parallel to the Main Street at a point distant 25 feet 9 inches measured Northerly therealong from the Southerly limit of the said Lot 46;

THENCE Northerly along the said limit of right of way, 21 feet, 4 ½ inches, more or less, to an iron bar planted therein;

THENCE Westerly in a straight line, 116 feet, more or less, to the point of commencement;

AND AS SHOWN on a plan of survey by Frank Kitto, Ontario Land Surveyor, dated April 9th, 1955;

TOGETHER with a right-of-way in, over and long and upon a strip of land twelve feet (12') in width immediately adjoining the rear of the lands and premises hereinbefore described, which right-of-way extends southerly to California Street from a point north of the said lands and premises, and as shown on the said survey.

PIN No. 14124-0022(LT).

THIRDLY:

City of Brampton, Regional Municipality of Peel.
Part of Lot 46, East of Hurontario Street and North of Queen Street, Plan BR-2, designated as Part 4 on Plan 43R-18824.

PIN No. 14124-0024(R).